

REMARKS

Claims 1-9, 11-14 and 22 have been previously canceled and claims 15, 21 and 23 are currently amended. No claims have been added or canceled by way of this response. Thus, claims 10, 15-21, 23-28 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Applicant respectfully submits that no new search is needed for the amendments and that the amendment to claim 21 was to overcome the Examiner's objection and the amendments to claims 15 and 23 were to provide clarity of the second message.

Response to Objections to the Claims:

The Examiner has objected to claims 21 for informalities. Applicant has corrected the informalities and respectfully requests that the Examiner withdraw the objections to the claims.

Response to Rejections:

Claims 10, 15-18, 21 and 23-26 stand rejected under 35 U.S.C. § 103(a), the Examiner contending that these claims are obvious over Cotton (USPN 6148205) [Cotton] in view of IEEE Standard 802.15.1-2002 [IEEE-802.15].

The Examiner contends that IEEE-802.15 teaches the first message indicates an artificially received first signal level at the access point, the artificially received first signal level being higher than a signal receiving level actually measured by the access point, the artificially received first signal level formed as a received signal strength indicator value (section 9.3.18; Sequence 41 [LMP_decr_power_req], therefore power control message based on RSSI level; section 7.4.7; Figure 9; RSSI compares received power with two threshold values).

The Examiner states "discloses a process to request a power decrease based on a parameter based on a comparison of a RSSI measurement to a threshold value to the terminal to increase or decrease its transmitted output power by sending a parameter that is above its measured value, therefore an artificially high RSSI value sent to the terminal to decrease its transmitted output power."

As the Examiner points out IEEE_802.15 teaches a comparison of a RSSI measurement with a threshold value. Applicant respectfully submits that the IEEE_802.15 received signal

strength indicator (RSSI) measurement is an actual measured value (IEEE_802.15 7.3 page 32).. Thus, the actual value must be compared to the threshold to determine to increase or decrease the transmitted power. In contrast, Applicant limitation does not include an actual measured value. After the mobile phone is detected, Applicant always sends a value in the first message to lower the transmission power regardless of an actual signal level. Thus, Applicant's first signal level is artificial and hence artificially received.

All words in a claim must be considered in judging the patentability of a claim against the prior art (MPEP 2173.06)

Applicant respectfully submits that the Examiner as not found Applicants limitation of the artificially received first signal level formed as a received signal strength indicator value.

In view of the above, claims 10 and 21 is patentable. Furthermore, Claims 15-20 which depend on claim 10 are also patentable at least based on their dependency as well as based on their own merits. For Example Claims 15 and 23 recite the signaling includes a second message in order to instruct the user to move the mobile terminal into the near field of the access point. Applicant respectfully submits that Neither Cotton or IEEE_802.15 teaches or suggests that a second message is in order to instruct the user let alone to instruct the user to move the mobile terminal into the near field of the access point.

Therefore, Applicant respectfully requests that the Examiner withdraw the rejections to the claims.

Serial No. 10/529,330
Atty. Doc. No. 2002P13843WOUS

Conclusion

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Dated: _____

Jan. 7, 2009

Respectfully submitted,

By: _____

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